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06                   UNITED STATES DISTRICT COURT  
07                   WESTERN DISTRICT OF WASHINGTON  
08                   AT SEATTLE

09 JAMAR ANTONIO BEAVER,                   ) CASE NO. C08-0430-JCC-MAT  
10   )  
11 Petitioner,                                 )  
12   )  
13 v.   ) ORDER DENYING PETITIONER'S  
14 STATE OF WASHINGTON,                         ) MOTION FOR REPRESENTATION  
15   ) OF COUNSEL  
16 Respondent.                                 )  
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24                   The Court, having considered petitioner's motion for representation of counsel, and the  
25 balance of the record, does hereby find and ORDER as follows:

26                   (1)      Petitioner's motion for representation of counsel (Dkt. No. 8) is DENIED. There  
27 is no right to have counsel appointed in cases brought under 28 U.S.C. § 2254 unless an  
28 evidentiary hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429 (9th Cir. 1988);  
29 *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and Rule 8(c) of the Rules Governing  
30 Section 2254 Cases in the United States District Courts. The Court may exercise its discretion  
31 to appoint counsel for a financially eligible individual where the "interests of justice so require."  
32 18 U.S.C. § 3006A. However, petitioner fails to demonstrate that the interests of justice are best

01 served by appointment of counsel in this matter at the present time.

02 (2) The Court notes that the instant motion, though filed on behalf of petitioner, was  
03 not signed by petitioner. While petitioner may, if he wishes, enlist his father to assist him in these  
04 proceedings, petitioner's father may not litigate this action on behalf of petitioner. All future  
05 documents submitted to this Court on behalf of petitioner **must** bear petitioner's signature.

06 (3) The Clerk shall direct copies of this Order to petitioner and to the Honorable John  
07 C. Coughenour.

08 DATED this 16th day of June, 2008.

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11 Mary Alice Theiler  
12 United States Magistrate Judge  
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